

(TO BE PUBLISHED IN THE DELHI GAZETTE PART IV EXTRAORDINARY)

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No.F. 1(3)/DO-I/2012/Part-II/ 296 - 342

Dated: 13 ~ 4 ~ 2012

NOTIFICATION

WHEREAS, Gutka, Pan Masala, Flavoured / Scented Tobacco, Kharra and similar products containing tobacco by whatsoever name called, cause damage to the health of consumers and their adverse impact could also lead to alterations of the genetic make-up of future generations;

WHEREAS, tobacco, whether flavoured, scented or mixed with other ingredients such as heavy metals, anti-caking agents (except to the extent specifically permitted as ingredients), silver leaf, binders, flavours, scents, fragrances, prohibited chemicals, or any one of these ingredients (the said ingredients are hereafter collectively or individually, as the context requires, referred to as "the said additives") are "food" under clause (j) of section 3 of the Food Safety and Standards Act, 2006;

WHEREAS, the Central Government has prohibited products containing tobacco and nicotine under regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011 and anti-caking agents (beyond the extent permitted) under regulation 3.1.7 of The Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 ;

WHEREAS, the said food articles if consumed will endanger human health and well-being and whereas if consumption of these food articles is allowed without prohibition the well being of current and future generations will be compromised;



WHEREAS, under the law and in the interest of public health, Commissioner Food Safety is responsible for prohibiting in the interest of public health the manufacture, storage, distribution or sale of any article of food, and whereas the undersigned is duly authorized under section 30(2)(a) of the Food Safety and Standards Act, 2006, to make this order ;

Therefore, in exercise of these powers conferred by clause (a) of sub section (2) of section 30 of the Food Safety and Standards Act, 2006, the undersigned, Commissioner (Food Safety), National Capital Territory of Delhi, prohibit in the interest of public health for a period of one year from the date of publication of this Notification in the official gazette, in the National Capital Territory of Delhi the manufacture, storage, distribution, or sale of tobacco which is either flavoured, scented or mixed with any of the said additives, and whether going by the name or form of gutka, pan masala, flavoured/scented tobacco, kharra, or otherwise by whatsoever name called, whether packaged or unpackaged and/or sold as one product, or though packaged as separate products, sold or distributed in such a manner so as to easily facilitate mixing by the consumer.


(Dr. Mrinalini Darswal, IAS)
Commissioner (Food Safety)
Government of National Capital Territory of Delhi

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Copy to:-

1. The Secretary to the Govt. of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.
2. The Secretary (H&FW), Govt. of NCT of Delhi.

3. The Chairman, Food Safety and Standards Authority of India, FDA Bhawan, Kotla Road, New Delhi – 110002.
4. The Commissioner of Police, Delhi Police, I.P. Estate, New Delhi – 110002.
5. The Commissioner, MCD (North/South), Civic Centre, Delhi.
6. The Commissioner, MCD (East), DSIDC Complex, Karkardooma, Delhi.
7. The Chairperson, NDMC, Palika Kendra, New Delhi.
8. The Divisional Commissioner, GNCTD of Delhi.
9. The Secretary to Chief Minister Delhi
10. The Secretary to Minister of Health and Family Welfare, Delhi
11. The Secretary to the Lt. Governor of Delhi.
12. The Commissioner of Food Safety, Deptt. of Food Safety, Govt. of NCT of Delhi.
13. The Commissioner, Deptt. of Trade & Taxes, GNCTD, Vyapar Bhawan, I.P. Estate, New Delhi.
14. The Commissioner (Excise, Entertainment & Luxury Tax), GNCTD, L-Block, Vikas Bhawan, I.P. Estate, New Delhi.
15. The Director General of Health Services, Govt. of India, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.
16. All ADMs through the Divisional Commissioner, Govt. of NCT of Delhi.
17. The Pr. Secretary (L&J), Government of NCT of Delhi.
18. The Chief Executive Officer, Delhi Cantonment Board, New Delhi.
19. All D.Os/FSOs, Department of Food Safety, Govt. of NCT of Delhi.
20. The Deputy Secretary (GAD), Govt. of NCT of Delhi (in duplicates) for publication in the extra-ordinary part-IV of Delhi Gazette.
21. The Guard File.

13/4/16

(Dr. Mrinalini Darswal, IAS)
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